

**AMENDMENT AND PRESENTATION OF CLAIMS**

Please replace all prior claims in the present application with the following claims, in which claims 9, 11, 21, 29, 39 through 41, 52 through 54, 61, 62, and 67 through 74 have been amended, and a new claim 75 has been added.

1-8. (Canceled)

9. (Currently Amended) An apparatus comprising:

~~a receiver configured to receive primary program data from a communication channel,~~

~~and~~

~~a processor configured to:~~

at least one processor; and

at least one memory including computer program code,

the at least one memory and the computer program code configured to, with the at least one

processor, cause the apparatus to perform at least the following,

record the primary program data on a storage medium,

run a software agent arranged to identify and copy one or more portions of the primary

program data that have been identified and earmarked by a broadcaster within the

stored primary program,

create and store a copy of said earmarked data as an associated secondary program data

file on the storage medium,

wherein the primary program data and the secondary program data are stored in separate

files,

subsequent to both the primary program data and the associated secondary program data having been stored on the storage medium, provide a user interface for selection of the stored primary program data, and upon the selection, retrieve the associated secondary program data for display.

10. (Canceled)

11. (Currently Amended) The apparatus of claim 9, wherein the apparatus is further caused ~~software agent is configured~~ to replace at least a portion of audio data in the secondary program data with audio data from tertiary program data received ~~by the receiver~~ from the communication channel.

12. (Previously Presented) The apparatus of claim 9, wherein the primary program data and secondary program data are in the form of MPEG-2 files.

13. (Previously Presented) The apparatus of claim 9, wherein the secondary program data is of a lower resolution than that of the primary program data.

14. (Previously Presented) The apparatus of claim 9, wherein the apparatus comprises a set top box.

15. (Previously Presented) The apparatus of claim 9, further including a display device configured to display the primary and secondary data retrieved from the storage medium.

16-20. (Canceled)

21. (Currently Amended) A method comprising:

receiving, at an apparatus, primary program data from a communication channel,  
storing, at the apparatus, the primary program data on a storage medium of the apparatus,  
running, at the apparatus, a software application so as to identify and copy one or more  
earmarked portions of the stored primary program data that are identified by a broadcaster  
within the stored primary program,  
creating and storing, at the apparatus, a copy of the earmarked portions as an associated  
secondary program data file on the storage medium, wherein the primary program data  
and the secondary program data are stored in separate files,  
subsequent to the storage of the primary program data and the associated secondary program  
data being complete, providing a user interface at the apparatus for selection of the stored  
primary program data, and  
upon the selection, retrieving said secondary program data for display said second program  
data at the apparatus.

22. (Canceled)

23. (Previously Presented) The method of claim 21, including replacing at least a portion of  
audio data in the secondary program data with audio data from tertiary program data received  
from the communication channel.

24. (Previously Presented) The method of claim 21, where the secondary program data comprises promotional material in one or more of the following forms: audio, video, pictures, text or graphics.

25. (Previously Presented) The method of claim 21, where the primary program data and secondary program data are in the form of MPEG-2 files.

26. (Previously Presented) The method of claim 21, where the secondary program data is of a lower resolution than that of the primary program data.

27-28. (Canceled)

29. (Currently Amended) A computer-readable storage medium carrying one or more sequences of one or more instructions which, when executed by one or more processors, cause the one or more processors to at least perform the following steps ~~comprising instructions that when executed by a processor causes an apparatus to:~~

~~receive~~ receiving primary program data from a communication channel,

[[store]] storing the primary program data on a storage medium,

[[run]] running a software application so as to identify and copy one or more earmarked portions of the stored primary program data that are identified by a broadcaster within the stored primary program,

creating and storing [[store]] a copy of the earmarked portions as an associated secondary program data file on the storage medium, wherein the primary program data and the secondary program data are stored in separate files,

subsequent to both the primary program data and the associated secondary program data having been stored on the storage medium, ~~provide~~ providing a user interface for selection of the stored program data, and upon selection ~~retrieve~~ retrieving the secondary program data for display.

30-38. (Canceled)

39. (Currently Amended) An apparatus according to claim 9, wherein the apparatus is further caused ~~processor is further configured~~ to, subsequent to the storage of the primary program data and the associated secondary program data being complete, gather information relating to the associated secondary program data and display the information.

40. (Currently Amended) The apparatus according to claim 9, wherein the apparatus is further caused ~~processor is further configured~~ to display an icon associated with the primary program data for which the associated secondary program data is available.

41. (Currently Amended) The apparatus of claim 9, wherein the apparatus is further caused ~~processor is further configured~~ to provide the user interface for selection of program titles of the primary program data.

42-46. (Canceled)

47. (Previously Presented) The method according to claim 21, further comprising, subsequent to the storage of the primary program data and the associated secondary program data being

complete, gathering information relating to the associated secondary program data and displaying the information.

48. (Previously Presented) The method according to claim 21, further comprising displaying an icon associated with the primary program data for which the associated secondary program data is available.

49. (Previously Presented) The method of claim 21, wherein providing a user interface comprises providing the user interface for selection of program titles of the primary program data.

50-51. (Canceled)

52. (Currently Amended) The computer-readable storage medium of claim 29, ~~further comprising instructions that when executed by a processor causes~~ wherein the apparatus is caused to further perform:[[,]] subsequent to the storage of the primary program data and the associated secondary program data being complete, gathering information relating to the associated secondary program data and display the information.

53. (Currently Amended) The computer-readable storage medium of claim 29, ~~further comprising instructions that when executed by a processor causes~~ the apparatus is caused to further perform: displaying an icon associated with the primary program data for which the associated secondary program data is available.

54. (Currently Amended) A method comprising:

receiving, at an apparatus, primary program data comprising a multimedia broadcast program, said primary program data further comprising earmarking data identifying a plurality of earmarked portions of the multimedia broadcast program as identified by a broadcaster within the multimedia broadcast program;

storing, at the apparatus, the primary program data in a first data file;

based on the earmarking data, copying the plurality of earmarked portions of the multimedia broadcast program to create a second data file and store the second data file stored separately from the first data file at the apparatus;

providing a user interface at the apparatus that allows selection of the multimedia broadcast program and allows selection of the plurality of earmarked portions of the multimedia broadcast program;

receiving a selection via the user interface for one of: the multimedia broadcast program and the plurality of earmarked portions of the multimedia broadcast program;

based on the selection, accessing, at the apparatus, one of: the first data file and the second data file; and

based on the selection, ~~transmitting to a displaying,~~ at the apparatus, one of: the multimedia broadcast program and the plurality of earmarked portions of the multimedia broadcast program.

55. (Previously Presented) The method of claim 54, wherein copying the plurality of earmarked portions of the multimedia broadcast program to the second data file comprises replacing at least a portion of audio data in the earmarked portions of the multimedia broadcast program with a separate audio soundtrack.

56. (Previously Presented) The method of claim 55, wherein the separate audio soundtrack is received from a same broadcaster as the primary program data in a separate parallel broadcast.

57. (Previously Presented) The method of claim 55, wherein the second data file corresponds to promotional content for the multimedia broadcast program.

58. (Previously Presented) The method of claim 54, wherein each of the plurality of earmarked portions corresponds to a separate sub-portion of the multimedia broadcast program.

59. (Previously Presented) The method of claim 54, wherein the first data file and the second data file are stored in a same folder in a memory.

60. (Previously Presented) The method of claim 54, further comprising linking the first data file and the second data file by inserting a linking identifier in a file header of at least one of the first data file and the second data file.

61. (Currently Amended) ~~Apparatus~~ An apparatus comprising:

~~a receiver configured to receive broadcast data from a communication channel; a processor~~

~~controlling at least some operations of the apparatus;~~

~~a memory storing computer executable instructions that, when executed by the processor,~~

~~cause the apparatus to perform:~~

at least one processor; and

at least one memory including computer program code,



the at least one memory and the computer program code configured to, with the at least one processor, cause the apparatus to perform at least the following,

~~receiving via the receiver~~ receive primary program data comprising a multimedia broadcast program, said primary program data further comprising earmarking data identifying a plurality of earmarked portions of the multimedia broadcast program as identified by a broadcaster within the multimedia broadcast program;

~~storing~~ store the primary program data in a first data file in the memory of the apparatus;

based on the earmarking data, copying the plurality of earmarked portions of the multimedia broadcast program to create a second data file and store the second data file ~~stored~~ separately from the first data file in the memory of the apparatus;

~~providing~~ provide a user interface that allows selection of the multimedia broadcast program and allows selection of the plurality of earmarked portions of the multimedia broadcast program;

~~receiving~~ receive a selection via the user interface for one of: the multimedia broadcast program and the plurality of earmarked portions of the multimedia broadcast program;

based on the selection, ~~accessing~~ access one of: the first data file and the second data file; and

based on the selection, ~~transmitting to a display~~ one of: the multimedia broadcast program and the plurality of earmarked portions of the multimedia broadcast program.

62. (Currently Amended) The apparatus of claim 61, wherein the apparatus is further caused to: replace ~~copying the plurality of earmarked portions of the multimedia broadcast program to the second data file comprises replacing~~ at least a portion of audio data in the earmarked portions of the multimedia broadcast program with a separate audio soundtrack.

63. (Previously Presented) The apparatus of claim 62, wherein the separate audio soundtrack is received from a same broadcaster as the primary program data in a separate parallel broadcast.

64. (Previously Presented) The apparatus of claim 62, wherein the second data file corresponds to promotional content for the multimedia broadcast program.

65. (Previously Presented) The apparatus of claim 61, wherein each of the plurality of earmarked portions corresponds to a separate sub-portion of the multimedia broadcast program.

66. (Previously Presented) The apparatus of claim 61, wherein the first data file and the second data file are stored in a same folder in the memory of the apparatus.

67. (Currently Amended) The apparatus of claim 61, ~~the memory storing further computer executable instructions that, when executed by the processor, cause~~ wherein the apparatus is further caused to perform:

~~linking link~~ the first data file and the second data file by inserting a linking identifier in a file header of at least one of the first data file and the second data file.

68. (Currently Amended) A computer-readable storage medium carrying one or more sequences of one or more instructions which, when executed by one or more processors, cause the one or more processors to at least perform the following steps: ~~One or more computer readable media storing computer-executable instructions that, when executed by an apparatus, perform a method comprising~~

receiving primary program data comprising a multimedia broadcast program, said primary program data further comprising earmarking data identifying a plurality of earmarked portions of the multimedia broadcast program as identified by a broadcaster within the multimedia broadcast program;

storing the primary program data in a first data file;

based on the earmarking data, copying the plurality of earmarked portions of the multimedia broadcast program to create a second data file and store the second data file stored separately from the first data file;

providing a user interface that allows selection of the multimedia broadcast program and allows selection of the plurality of earmarked portions of the multimedia broadcast program;

receiving a selection via the user interface for one of: the multimedia broadcast program and the plurality of earmarked portions of the multimedia broadcast program;

based on the selection, accessing one of: the first data file and the second data file; and

based on the selection, ~~transmitting to a~~ displaying one of: the multimedia broadcast program and the plurality of earmarked portions of the multimedia broadcast program.

69. (Currently Amended) The computer readable storage medium [[media]] of claim 68, wherein the apparatus is caused to further perform: copying the plurality of earmarked portions of the multimedia broadcast program to the second data file comprises replacing at least a portion of audio data in the earmarked portions of the multimedia broadcast program with a separate audio soundtrack.

70. (Currently Amended) The computer readable storage medium [[media]] of claim 69, wherein the separate audio soundtrack is received from a same broadcaster as the primary program data in a separate parallel broadcast.

71. (Currently Amended) The computer readable storage medium [[media]] of claim 69, wherein the second data file corresponds to promotional content for the multimedia broadcast program.

72. (Currently Amended) The computer readable storage medium [[media]] of claim 68, wherein each of the plurality of earmarked portions corresponds to a separate sub-portion of the multimedia broadcast program.

73. (Currently Amended) The computer readable storage medium [[media]] of claim 68, wherein the first data file and the second data file are stored in a same folder in a memory.

74. (Currently Amended) The computer readable storage medium [[media]] of claim 68, ~~the method further comprising~~ the apparatus is caused to further perform: linking the first data file and the second data file by inserting a linking identifier in a file header of at least one of the first data file and the second data file.

75. (New) The method of claim 21, wherein the earmarked portions of the stored primary program data are identified by the broadcaster based upon data content.